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COMMITTEE ON THE RIGHTS OF THE CHILD

Nineteenth session

SUMMARY RECORD OF THE 478th MEETING

Held at the Palais des Nations, Geneva,
on Monday, 21 September 1998, at 10.30 a.m.

Chairperson: Ms. MASON

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The meeting was called to order at 10.35 a.m.

OPENING OF THE SESSION

1. The CHAIRPERSON declared open the nineteenth session of the Committee on the Rights of the Child.

2. Mr. ter HORST (Deputy High Commissioner for Human Rights) extended a warm welcome to the Committee on the occasion of the opening of its nineteenth session. In connection with recent developments regarding the Office of the High Commissioner for Human Rights, he had pleasure first in introducing Mr. Francisco José Aguilar Urbina as the new Chief of the Support Services Branch, which serviced all the human rights treaty bodies as well as the Commission on Human Rights, the Sub-Commission on Prevention of Discrimination and Protection of Minorities and the humanitarian trust funds. He had been a former expert member of the Human Rights Committee and its Chairman from 1994 to 1996, and possessed a deep understanding of the treaty bodies. As part of the ongoing reform process, the Office was currently engaged in a review of all its working methods. In that connection, he wished to thank Mrs. Helga Klein, who had recently joined the Research and Right to Development Branch, for her long-standing contribution to the work of the treaty bodies. The new Team Leader of the Covenants Team, which, together with the Conventions Team led by Ms. Raadi-Azarakhchi, provided the treaty bodies with substantive secretarial support, was Mr. Hamid Gaham.

3. The system-wide staff reductions necessitated by the severe financial constraints from which the United Nations continued to suffer of course affected the Office of the High Commissioner. However, as a consequence of the current restructuring and of improved inter-branch cooperation and transparency, the Committee should experience a qualitative improvement in the services provided. He hoped that it would continue to be vigilant in respect of the results of the reform process and would keep the Office informed of successes and failures in reaching the objective.

4. Regarding substantive support for the Committee's work through the Plan of Action Team, he had pleasure in introducing two new members of the Team Ms. Gaynell Curry from the Bahamas and Ms. Mara Bustelo from Spain.

5. A number of interesting developments had occurred since the Committee's last session. First, in regard to the amendment to article 43, paragraph 2, of the Convention on the Rights of the Child, concerning the proposed increase of the Committee's membership from 10 to 18, 63 States had to date notified their acceptance. However, the figure still fell far short of the number needed for the amendment to enter into force.

6. Second, in regard to the draft optional protocols to the Convention on the Rights of the Child, on children and armed conflicts and on the sale of children, child prostitution and child pornography respectively, he noted that the Committee might wish to consider sending its comments and being represented at the next sessions of the Commission's two working groups on the protocols, the first of which was scheduled to take place in Geneva from 11 to 22 January 1999 and the second from 25 January to 5 February 1999. In the case of the Working Group on the Involvement of Children in Armed Conflicts,

the Committee should, as in the past, give its expert opinion not only on the document negotiated in plenary but also on the one entitled "The Chairman's perception" based on informal consultations. He further noted that an NGO Coalition to stop the use of child soldiers, launched on 30 June 1998, had received the support of the Committee, the Office of the High Commissioner for Human Rights, UNICEF, UNHCR and the ILO.

7. A number of resolutions directly relevant to the rights of the child had been adopted by the Sub-Commission on Prevention of Discrimination and Protection of Minorities at its fiftieth session. They included resolutions on the realization of the right to education, including education in human rights; on traditional practices affecting the health of women and the girl child; and on systematic rape, sexual slavery and slavery-like practices during armed conflict, including internal conflict. The Sub-Commission had also adopted the report of the Working Group on Contemporary Forms of Slavery, which covered areas such as traffic in persons and exploitation of the prostitution of others; prevention of the trans-border traffic in women and girls for purposes of sexual exploitation; and child domestic workers and child labour. He had been encouraged to learn that members of the Committee had met with members of the Working Group during previous sessions to discuss areas of common interest. Such cooperation was vital in order to enhance existing human rights mechanisms and fundamental to the reform effort currently under way. Lastly, he noted that the Sub-Commission had decided, without a vote, to request Ms. Françoise Jane Hampson to prepare a working paper on the question of reservations to human rights treaties, including an examination of the number and scope of such reservations and their impact on the scope of the obligation accepted by States, for submission to the Sub-Commission at its fifty-first session.

8. The Commission on Human Rights had appointed Mrs. Katerina Tomasevski from Croatia as its Special Rapporteur on education and the Committee would undoubtedly have opportunities to cooperate with her. In addition, the Committee on Economic, Social and Cultural Rights would be organizing a thematic discussion on the right to education during its November 1998 session.

9. The Special Rapporteur on the sale of children, child prostitution and child pornography was to make an official visit to Laos from 21-25 September 1998. He would undoubtedly benefit from the Committee's recent recommendations in that regard, issued in October 1997.

10. He himself and a number of his colleagues had recently met with the Special Representative of the Secretary-General on the Impact of Armed Conflict on Children, Mr. Olara Otunnu, to discuss ways of strengthening cooperation between the Office of the Special Representative, the Office of the High Commissioner for Human Rights and the Committee on the Rights of the Child. It had been suggested that the flow of information between the Committee and the Office of the Special Representative should be increased, especially with regard to reporting countries that were directly or indirectly affected by armed conflict. Mr. Otunnu had given a briefing to the press on his recent field visits to Sierra Leone, Sri Lanka, Uganda and the former Yugoslavia, including Kosovo, a copy of which would be made available to the Committee.

11. Lastly, the 10th Meeting of Persons Chairing Human Rights Treaty Bodies had taken place in Geneva from 14 to 18 September 1998. He would leave it to the Chairperson, who had participated in the meeting, to inform her colleagues of its outcome and discuss with them the main issues raised.

12. In conclusion, he assured the members of the Committee of the support of the Office of the High Commissioner in the important work ahead of them and extended his personal good wishes for a stimulating and successful session.

13. Mrs. SARDENBERG thanked the Deputy High Commissioner for the wealth of information he had provided on recent developments in respect of children's rights. She welcomed the appointment of Mr. Urbina and the new members of the Plan of Action Team and looked forward to working with them. Given their importance to the Committee and its work, she had been glad to learn that a qualitative improvement was to be expected in transparency and effectiveness. She emphasized the importance of increased cooperation between the Committee, as the focal point for children's rights, and other United Nations bodies, and more specifically with the Special Representative of the Secretary-General on Children in Armed Conflicts. She also welcomed the prospect of an increased flow of information from the Sub-Commission on Prevention of Discrimination and Protection of Minorities. As an alternate member of the Sub-Commission, she was particularly interested in the work of the Working Group on Contemporary Forms of Slavery. She looked forward to closer integration of the Committee's work with the resolutions adopted by the Sub-Commission. In regard to the draft optional protocol, she welcomed the recommendation that the Committee should express its opinion on the "Chairman's perception". The Committee should also take an interest in the Working Party on Reservations. It would need to hold a private discussion on all those matters, so that it could organize its work with a view to serving not only as a focal point in respect of children's rights but as an integral part of the reform process. She would welcome any further information on developments regarding the Plan of Action.

14. Mr. ter HORST (Deputy High Commissioner for Human Rights) said that the latest development in regard to the Plan of Action was that a project document had been prepared. That part of the exercise had been subcontracted to UNOPS which would administer it. Not only was it easier to raise funds on the basis of a project document but UNOPS would also be able to provide management expertise.

15. Ms. RAADI-AZARAKHCHI (Secretariat) said that the latest development in regard to the funding of the Plan of Action was a pledge from Norway of approximately $265,000. Shortly before that, a contribution of $30,000 had been received from Colombia. As far as the implementation of the Plan was concerned, the new Team would continue to provide the Committee with substantive support through the provision of country analyses and help in the conduct of its duties. The second element of the Plan which was being organized was support for national implementation through the organization of follow-up seminars and training courses. Those technical cooperation activities would not be directly implemented by the Action Plan but rather facilitated. The preliminary survey of technical assistance requirements already provided to the Committee was currently being brought up to date.

16. The CHAIRPERSON, on behalf of the Committee, also welcomed the two new members of the Plan of Action Team. The Team had provided very valuable support so far and she fully expected that to continue. She also welcomed the appointment of Mr. Urbina. She was disappointed by the lack of progress regarding the increase in the Committee's membership and wondered if the Office of the High Commissioner could help in that regard.

17. As far as the Committee's cooperation with the Special Rapporteurs was concerned, she imagined that, in view of the exigencies of their duties, it was impossible for them to meet the Committee as often as its members would like. The Committee, would, however, like to see them on occasion and to give them an indication of those areas in which it desired further information. She looked forward to meeting and cooperating with the Special Rapporteur on education, and with the Special Rapporteur on children in armed conflicts particularly, given that the whole topic had emanated from a request and recommendation by the Committee. All the issues referred to would be kept in mind and brought up in the Committee from time to time.

ADOPTION OF THE AGENDA (item 1 of the provisional agenda) (CRC/C/76)

18. The provisional agenda (CRC/C/76) was adopted.

SUBMISSION OF REPORTS BY STATES PARTIES IN ACCORDANCE WITH ARTICLE 44 OF THE CONVENTION (agenda item 3)

19. Mr. DAVID (Secretary of the Committee) said that since its eighteenth session the Committee had received one initial report, from Lithuania. Second reports had been received from Norway, Finland, Jordan, Colombia, Denmark and Egypt. To date, 126 initial reports and 15 periodic reports had been received, making a total of 141. Of the reports received, 89 had been considered. Overdue reports included 65 initial and 81 periodic reports.

ORGANIZATION OF WORK

20. The CHAIRPERSON drew the Committee's attention to the tentative programme of work circulated at the meeting. She noted that the time of the meeting with Childwatch International, which was to take place during the discussion of the initial report of Ecuador, would be difficult for the Committee. She suggested holding the meeting from 2.15 to 3 p.m. on Tuesday, 22 September.

21. It was so agreed.

22. The CHAIRPERSON announced that the Government of Sweden, which was due to present the country's second periodic report, had asked for its postponement. As none of the countries on the reserve list was able to take Sweden's place, the Committee would have only five reports to consider at the current session. She noted that there was already a backlog of nearly 50 reports.

23. Ms. PALME said that changes were expected in the structure of the Government as a result of the very recent elections in Sweden and the Swedish Parliament would open only on 6 October. It would have been difficult in the circumstances for the Government to send a high-level delegation, as it would have wished. There also appeared to have been some difficulty of communication between the Ministry of Foreign Affairs and the Ministry of Social Affairs.

24. The CHAIRPERSON thanked Ms. Palme for that explanation.

The meeting rose at 11.10 a.m.